

1 TOWNSEND AND TOWNSEND AND CREW LLP  
2 DANIEL J. FURNISS (State Bar No. 73531)  
3 THOMAS F. FITZPATRICK (State Bar No. 193565)  
379 Lytton Avenue  
3 Palo Alto, California 94301  
Telephone: (650) 326-2400  
4 Facsimile: (650) 326-2422

5 Attorneys for Plaintiffs  
6 Colmar Properties, LLC and Coleman D. Moore

7 KEVIN V. RYAN (State Bar No. 118321)

8 United States Attorney

9 JAY R. WEILL (State Bar No. 75434)

Assistant United States Attorney

10 Chief, Tax Division

11 10th Floor Federal Building

12 450 Golden Gate Avenue, Box 36055

13 San Francisco, CA 94102

14 Telephone: (415)436-7017

15 Facsimile: (415) 436-6748

16 Attorneys for Defendant

17 United States of America

18 UNITED STATES DISTRICT COURT

19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 SAN FRANCISCO DIVISION

21 COLMAR PROPERTIES, LLC and  
22 COLEMAN D. MOORE,

23 Case No. C-05-0912 MMC

24 Plaintiffs,

STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE AS TO  
PLAINTIFF COLEMAN D. MOORE  
INDIVIDUALLY; ORDER THEREON

v.

25 COMMISSIONER OF THE INTERNAL  
26 REVENUE SERVICE,

27 Defendant.

28 Plaintiff Colman D. Moore and Defendant United States of America, by and through their  
respective counsel, hereby stipulate that the claims of Plaintiff Colman D. Moore, individually, against  
Defendant be dismissed without prejudice.

1 DATED: March 20, 2006

Respectfully submitted,

2 TOWNSEND AND TOWNSEND AND CREW LLP

3

4 By: /s/ DANIEL J. FURNISS

5 Attorneys for Plaintiffs  
6 Colmar Properties, LLC and Coleman D. Moore

7

8 UNITED STATES ATTORNEY

9

10 By: /s/ JAY R. WEILL

11 Attorneys for Defendant  
12 United States of America

13

14 **ORDER**

15 Based on the foregoing stipulation, the claims of Plaintiff Coleman D. Moore, individually,  
16 against Defendant are hereby dismissed without prejudice.

17 IT IS SO ORDERED.

18

19 DATED: March 21, 2006

20

21 By: Maline M. Chesney  
22 MAKINE M. CHESNEY  
23 UNITED STATES DISTRICT JUDGE